

CITY OF HOLLISTER - AGENDA

for **City Council and Redevelopment Agency Meetings**

of **May 2, 2005**

at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

NOTICE TO PUBLIC

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**** 6:00 p.m. - Closed Session -- See Attached Agenda.**

Call to Order

Pledge of Allegiance

Roll Call:

Mayor Pauline Valdivia, Council Members Brad Pike, Robert Scattini, Doug Emerson and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

Verification of Agenda Posting

Proclamation: May 2005: Clean Air Month in the City of Hollister
May 15-21, 2005: Bike Week in the City of Hollister
May 2005: Water Awareness Month in the City of Hollister

6:00 P.M. - CLOSED SESSION AGENDA:

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:
 - 1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (2 potential cases will be discussed).
 - 2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
 - 3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
 - a. RWQCB – Cease and Desist Order No. R3-2002-0105
 - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
 - c. Nicholson v. Hollister, Case No. CU-04-00063
 - d. Borges et al v. Hollister, Case No. CV030139
 - 4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union – Local 3395; Hollister Peace Officers Association, Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.
 - 5. Threat to Public Services or Facilities pursuant to Government Code Section 54957:

Consultation with City of Hollister Chief of Police
 - 6. Personnel – City Manager Evaluation/Contract

6:30 P. M. - AGENDA

A. CONSENT RESOLUTION (May 2, 2005):

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of

these items unless requested by a member of the City Council, a Staff member, or a Citizen.

Consent Items are Numbers A1, A2, A3 and A4.

- A1. Minutes of Regular Meeting of April 18, 2005 and Special Meeting of April 25, 2005.

Approve Minutes of the Regular Meeting of April 18, 2005 and Special Meeting of April 25, 2005 as submitted.

- A2. Warrant Register.

The City Council will ratify and approve the following Warrant Register:

- April 14, 2005 \$677,217.29

- A3 Claim against the City – AIG Aviation.

A claim against the City has been filed by AIG Aviation. Staff recommends denial of this claim and seeks authorization to send the notice of rejection to the claimant.

- A4. Resolution No. 2005-58, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE PRELIMINARY SPECIAL DISTRICT REPORT FOR THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR LANDSCAPING AND LIGHTING DISTRICT NO 93-1 FISCAL YEAR 2005/2006.

This Resolution approves the Preliminary Engineers' Report and Budget for Levy and Collection of Annual Assessments for Landscape & Lighting District 93-1, FY 2005/2006.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

C. PUBLIC HEARINGS (On or About 6:30 p.m.)

None

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

1. Resolution No. 2005-59, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING APPROPRIATION OF FUND 304 FOR THE UPDATE TO THE SAN BENITO COUNTY TRAFFIC IMPACT FEE STUDY.

This Resolution authorizes the appropriation of \$17,500.00 of Traffic Impact Fund #304 for the completion of the update to the San Benito County Traffic Impact Fee Study prepared by the Council of San Benito County Governments (COG).

2. Resolution No. 2005-60, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING PLANS AND SPECIFICATIONS AND CALLING FOR SEALED BIDS FOR THE TRAFFIC SIGNAL PROJECT AT SAN FELIPE ROAD AND FALLON ROAD.

This Resolution approves plans and specifications and calls for sealed bids for the traffic signal project at San Felipe Road and Fallon Road.

3. Resolution No. 2005-61, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURE FOR THE ANNUAL SANTA CLARA VALLEY PEACE OFFICERS MEMORIAL RUN.

This Resolution authorizes the temporary street closure for the annual Peace Officers Memorial Run to be held May 21, 2005.

4. Resolution No. 2005-62, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE DISPOSITION OF CERTAIN CITY OWNED VEHICLES AND EQUIPMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH FIRST CAPITOL AUCTIONS, INC.

This Resolution approves the disposition of certain City owned vehicles and equipment declared as surplus and authorizes the City Manager to execute an agreement with Capitol Auctions, Inc.

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

2. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

3. Receive report regarding water and wastewater issues.

Staff will be providing the City Council with an update of water and wastewater issues.

4. Receive status report on Hollister Municipal Airport.

City Council will receive an oral report regarding the Hollister Municipal Airport projects and finances.

F. UNFINISHED BUSINESS:

None

G. NEW BUSINESS:

None

H. MISCELLANEOUS:

None.

ADJOURNMENT:

Next Regular City Council Meeting is scheduled for May 16, 2005, at 6:30 P.M.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].